

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-12311 of 2018 (O&M)
Date of decision : 28.03.2018

Balwinder Singh alias Bindi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Himanshu Puri, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.37 dated 28.05.2015, registered under Section 15 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Bholath, District Kapurthala.

Learned counsel for the petitioner has contended that earlier the petitioner was on bail; the recovery effected from him falls under non-commercial quantity and prays for grant of bail.

Heard.

Perusal of the record shows that the petitioner is in custody since 12.09.2017 i.e. for the last more than six months. Earlier he was on bail.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long

time, the present petition is allowed. Petitioner Balwinder Singh alias Bindi is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Kapurthala, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

28.03.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No